



General Assembly

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GENERAL

A/RES/54/170
25 February 2000

Fifty-fourth session
Agenda item 116 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/170. Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Reaffirming its resolution 53/144 of 9 December 1998, by which it adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, annexed to that resolution,

Reiterating the importance of the Declaration,

Convinced of the important role of the Commission on Human Rights in following up the Declaration,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

1. *Calls upon* Governments, specialized agencies and relevant intergovernmental and non-governmental organizations to submit, at the request of the Secretary-General, on the basis of Commission on Human Rights resolution 1999/66 of 28 April 1999,¹ proposals and ideas that should contribute substantially to further work on the implementation of the Declaration on the Right and Responsibility of

¹ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;

2. *Calls upon* the Commission on Human Rights to consider at its fifty-sixth session the report to be prepared by the Secretary-General pursuant to Commission resolution 1999/66;
3. *Requests* the Secretary-General to report to the General Assembly at its fifty-fifth session on measures to implement the Declaration;
4. *Decides* to consider this question at its fifty-fifth session, under the item entitled "Human rights questions".

*83rd plenary meeting
17 December 1999*



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Fifty-fourth session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/171. Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights¹ and the International Covenants on Human Rights,²

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,³ including part III thereof, relating to human rights,

Recalling also its resolution 53/145 of 9 December 1998, Commission on Human Rights resolution 1999/76 of 28 April 1999⁴ and previous relevant resolutions,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ A/46/608-S/23177, annex; see *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991*, document S/23177.

⁴ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

Recognizing that the tragic history of Cambodia requires special measures to assure the protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the international community continue to respond positively to assist efforts to investigate the tragic history of Cambodia, including responsibility for past international crimes, such as acts of genocide and crimes against humanity,

Bearing in mind the letter dated 15 March 1999 from the Secretary-General to the President of the General Assembly and the President of the Security Council⁵ and the report of the Group of Experts appointed by the Secretary-General in response to the request by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law,⁶

Recognizing the legitimate concern of the Government and people of Cambodia in the pursuit of internationally accepted principles of justice and of national reconciliation,

Recognizing also that accountability of individual perpetrators of grave human rights violations is one of the central elements of any effective remedy for victims of human rights violations and a key factor in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability within a State,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning of the operational presence in Cambodia of the Office of the High Commissioner and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Takes note with appreciation* of the report of the Secretary-General,⁷ and notes in particular the concerns of the Special Representative about the problem of impunity, the need to promote and protect the independence of the judiciary and to establish the rule of law, and the need for the reform of police and the military;

3. *Welcomes* the agreement by the Government of Cambodia to extend the memorandum of understanding for the office at Phnom Penh of the High Commissioner until March 2002, enabling the office to continue its operations and to maintain its technical cooperation programmes, and encourages the Government to continue to cooperate with the office;

⁵ A/53/850-S/1999/231; see *Official Records of the Security Council, Fifty-fourth Year, Supplement for January, February and March 1999*, document S/1999/231.

⁶ *Ibid.*, annex.

⁷ A/54/353.

4. *Urges* the Government of Cambodia to continue to take the necessary measures to develop an independent, impartial and effective judicial system, including through the early adoption of the draft statute on magistrates, a penal code and a code on criminal procedures, and the reform of the administration of justice, and appeals to the international community to assist the Government to this end;

5. *Commends* the efforts by the Government of Cambodia with regard to the review and the stated commitment to the downsizing of the police and the military, urges the Government to take further measures to carry out effective reform aimed towards professional and impartial police and military forces, and invites the international community to assist the Government to this end;

6. *Also commends* the vital and valuable role played by non-governmental organizations in Cambodia, *inter alia*, in the development of civil society, and encourages the Government of Cambodia to continue to work with non-governmental organizations in efforts to strengthen and uphold human rights in Cambodia;

7. *Notes with interest* the activities undertaken by the governmental Cambodian Human Rights Committee, the National Assembly Commission on Human Rights and Reception of Complaints and the Senate Commission on Human Rights and Reception of Complaints, and welcomes preliminary efforts to establish an independent national human rights commission which should be based on international standards, such as the Paris principles,⁸ and requests the Office of the High Commissioner to provide advice and technical assistance in these efforts;

8. *Expresses grave concern* about numerous instances of violations of human rights, including extrajudicial executions, torture, illegal arrests and detention, as detailed in the reports of the Special Representative, and notes some progress made by the Government of Cambodia in addressing these issues;

9. *Expresses serious concern* about the situation of impunity in Cambodia, commends the commitment and efforts of the Government of Cambodia to tackle this question, such as amending article 51 of the 1994 Law on Civil Servants, and calls upon the Government to take further measures, as a matter of priority, to investigate urgently and prosecute, in accordance with due process of law and international human rights standards, all those who have perpetrated violations of human rights;

10. *Reaffirms* that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, welcomes the final collapse of the Khmer Rouge, which has paved the way for the investigation and prosecution of its leaders, and takes note with interest of the steps taken by the Government of Cambodia to bring to justice the Khmer Rouge leaders most responsible for the most serious violations of human rights;

11. *Appeals strongly* to the Government of Cambodia to ensure that those most responsible for the most serious violations of human rights are brought to account in accordance with international standards of justice, fairness and due process of law, welcomes the efforts of the Secretariat and actors of the international community in assisting the Government to this end, and encourages the Government to continue to cooperate with the United Nations with a view to reaching an agreement;

⁸ See resolution 48/134, annex.

12. *Reaffirms* that ensuring the security of persons and rights of association, assembly and expression remain matters of critical priority;
13. *Also reaffirms* the importance of the upcoming communal elections being conducted in a free and fair manner, and urges the Government of Cambodia to prepare for the communal elections accordingly;
14. *Welcomes* the adoption of a five-year action plan by the Government of Cambodia, in particular by the Ministry of Women's Affairs and Veterans, as well as other measures taken by the Government to improve the status of women, and urges the Government to continue to take appropriate measures to eliminate discrimination against women, including in the political and public life of the country, to combat violence against women in all its forms, and to take all steps to meet its obligations as a party to the Convention on the Elimination of All Forms of Discrimination against Women,⁹ including seeking technical assistance;
15. *Commends* the recent initiatives of and the progress made by the Government of Cambodia towards ensuring adequate health conditions, calls upon the Government to continue to take further measures to achieve this goal, with emphasis on ensuring adequate health conditions for women and children and minority groups and on the problem of the human immunodeficiency virus/acquired immunodeficiency syndrome, and encourages the international community to continue to support the Government to this end;
16. *Also commends* the continued efforts of the Government of Cambodia, together with non-governmental organizations and local authorities, to improve the quality of and access to education, and calls for further measures to be taken in order to ensure the right of Cambodian children to education, especially at the primary level, in accordance with the Convention on the Rights of the Child,¹⁰ and requests the international community to provide assistance for the achievement of this goal;
17. *Welcomes* the Five-Year National Plan against Child Sexual Exploitation in Cambodia, and encourages the Government of Cambodia to ensure the necessary law enforcement and other measures in support of the Plan in order to tackle the problem of child prostitution and trafficking in Cambodia;
18. *Notes with serious concern* the problem of child labour, calls upon the Government of Cambodia to ensure adequate health and safety conditions for children and to outlaw, in particular, the worst forms of child labour, and invites the International Labour Organization to continue to extend the necessary assistance in this regard;
19. *Also notes with serious concern* the prison conditions in Cambodia, notes with interest the recent adoption of the Proclamation on Administration of Prisons and Prison Procedures, commends the continued international assistance to improve the material conditions of detention, and calls upon the Government of Cambodia to take the further measures necessary to improve prison conditions, especially with regard to providing the minimum standard of food and health care;

⁹ Resolution 34/180, annex.

¹⁰ Resolution 44/25, annex.

20. *Condemns* the use of racist rhetoric and acts of violence against ethnic minorities, urges an end to racial violence and vilification, and urges the Government of Cambodia to take all steps to meet its obligations as a party to the International Convention on the Elimination of All Forms of Racial Discrimination,¹¹ including through seeking technical assistance;

21. *Welcomes*, in particular, the recent actions taken by the Government of Cambodia to combat illicit logging which has seriously threatened the full enjoyment of economic, social and cultural rights by many Cambodians, including indigenous people, expresses the hope that these efforts by the Government will continue, and notes with interest the current revision of the law on land;

22. *Also welcomes* the submission of the initial reports of Cambodia under the International Covenant on Civil and Political Rights,² the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Rights of the Child, asks the Government of Cambodia to follow up the recommendations made by the Human Rights Committee regarding the report submitted under the International Covenant on Civil and Political Rights,¹² calls upon the Government to meet its reporting obligations under all other international human rights instruments, and requests the office in Cambodia of the High Commissioner to continue to provide the necessary assistance in this regard;

23. *Expresses grave concern* at the devastating consequences and destabilizing effects of the use of anti-personnel landmines on Cambodian society, welcomes the ratification by Cambodia of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction¹³ in July 1999, encourages the Government of Cambodia to continue its support and efforts for the removal of those mines and for victim assistance and mine awareness programmes, and commends donor countries for their contributions and assistance to mine action;

24. *Expresses concern* about the high number of small arms in society and commends the efforts by the Government of Cambodia to control the spread of weapons;

25. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the High Commissioner, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing to the Trust Fund;

26. *Requests* the Secretary-General to report to the General Assembly at its fifty-fifth session on the role and achievements of the Office of the High Commissioner in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

¹¹ Resolution 2106 A (XX), annex.

¹² See CCPR/C/79/Add.108.

¹³ See CD/1478.

27. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-fifth session under the item entitled "Human rights questions".

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/172. Human rights and unilateral coercive measures

The General Assembly,

Recalling its resolutions 51/103 of 12 December 1996, 52/120 of 12 December 1997 and 53/141 of 9 December 1998, as well as Commission on Human Rights resolution 1998/11 of 9 April 1998,¹

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

¹ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23), chap. II, sect. A.*

Recalling the report submitted by the Secretary-General,² pursuant to Commission on Human Rights resolution 1995/45 of 3 March 1995,³ and the report of the Secretary-General on the implementation of General Assembly resolution 52/120,⁴

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and in this regard reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,⁵

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,⁶ the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,⁷ and the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference for Human Settlements (Habitat II) on 14 June 1996,⁸

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences and contrary to general international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated and implemented with all their extraterritorial effects, *inter alia*, on the economic and social development of targeted countries and peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

² E/CN.4/1996/45 and Add.1.

³ See *Official Records of the Economic and Social Council, 1995, Supplement No. 3* and corrigenda (E/1995/23 and Corr.1 and 2), chap. II, sect. A.

⁴ A/53/293 and Add.1.

⁵ See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

⁶ *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

⁷ *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

⁸ *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annex II.

Noting the continuing efforts of the Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular its criteria according to which unilateral coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,⁹

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights¹⁰ and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

3. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

4. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

5. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

6. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

7. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its fifty-fifth session, highlighting the practical and preventive measures in this respect;

8. *Decides* to examine this question on a priority basis at its fifty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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⁹ Resolution 41/128, annex.

¹⁰ Resolution 217 A (III).



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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/173. Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolutions 49/190 of 23 December 1994, 50/185 of 22 December 1995 and 52/129 of 12 December 1997,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Acknowledging that United Nations electoral assistance has facilitated the holding of successful elections in several Member States, which has resulted in the orderly and non-violent assumption of office by elected officials, recognizing that elections can be free and fair only if the secrecy of the ballot is protected and elections are held free of coercion and intimidation, and underlining the importance of respect for the results of elections that have been verified as free and fair,

Noting with satisfaction that increasing numbers of Member States are using elections as peaceful means of national decision-making and confidence-building, thereby contributing to greater national peace and stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,¹ in particular the right freely to choose representatives through periodic and genuine elections which shall be by universal and equal suffrage and held by secret vote or by equivalent free voting procedures,

Taking note of Commission on Human Rights resolution 1999/57 of 27 April 1999,² in which, *inter alia*, the Commission urged the continuation and expansion of activities carried out by the United Nations system, other intergovernmental and non-governmental organizations and Member States to promote and consolidate democracy within the framework of international cooperation and to build a democratic political culture through the observance of human rights, mobilization of civil society and other appropriate measures in support of democratic governance,

Recognizing the usefulness of a comprehensive and balanced approach in the activities carried out by the United Nations in this field in contributing to strengthening both democracy and all human rights within the country concerned,

Recognizing also the need for strengthening national capacity-building, electoral institutions and civic education in the requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,³ in particular the recognition therein that assistance provided upon the request of Governments for the conduct of free and fair elections is of particular importance in the strengthening of a pluralistic civil society,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, *inter alia*, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Noting with appreciation the efforts of the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, in collaboration with other electoral assistance organizations and United Nations agencies, to gather and make available through electronic means information on and for national election administrators, processes and institutions,

Noting the regional conference for Central Asian election administrators, held at Almaty, Kazakhstan, in November 1998, and the conference of the Global Electoral Organization Network, held at Ottawa in April 1999,

Welcoming the Fourth International Conference of the New or Restored Democracies, to be held at Cotonou, Benin, in December 2000, and calling upon the international community, including the United

¹ Resolution 217 A (III).

² See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

³ A/CONF.157/24 (Part I), chap. III.

Nations Development Programme, the Electoral Assistance Division and other relevant organizations and institutions to render all possible assistance to ensure the successful outcome of the Conference,

Having considered the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections,⁴

1. *Takes note with appreciation* of the report of the Secretary-General;⁴
2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-by-case basis in accordance with the evolving needs of requesting countries to improve and refine their electoral institutions and processes and with the guidelines on electoral assistance, recognizing that the fundamental responsibility of organizing free and fair elections lies with Governments;
3. *Requests* the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, in its role as coordinator of United Nations electoral assistance, to continue to inform Member States on a regular basis about the requests received, responses given to those requests and the nature of the assistance provided;
4. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, that conditions exist to allow a free and fair election and that provisions can be made for adequate and comprehensive reporting of the results of the mission;
5. *Recommends* that the Electoral Assistance Division continue to provide technical advice before and after elections and post-election assistance, as appropriate, based on needs assessment missions, to requesting States and electoral institutions, in order to contribute to the sustainability of their electoral processes and the consolidation of the democratization process;
6. *Also recommends* that United Nations electoral assistance be geared towards comprehensive observation of the entire time-span of the electoral process in instances where more than technical assistance is required by the requesting State;
7. *Requests* the Secretary-General to take further steps to support States that request assistance by, *inter alia*, enabling the United Nations High Commissioner for Human Rights, in accordance with her mandate, to support democratization activities related to human rights concerns, including human rights training and education, assistance for human rights-related legislative reform, strengthening and reform of the judiciary, assistance to national human rights institutions and advisory services on treaty accession, reporting and international obligations as related to human rights;
8. *Requests* the United Nations Development Programme to continue its commendable programmes of assistance for governance in cooperation with other relevant organizations and institutions, as outlined in the report of the Secretary-General,⁴ in particular those for strengthening democratic institutions and participation and linkages between concerned sectors of society and Governments;

⁴ A/54/491.

9. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

10. *Reiterates* the importance of reinforced coordination within the United Nations system, including cooperation with all relevant departments within the Secretariat, the Office of the United Nations High Commissioner for Human Rights, the United Nations Development Programme and the United Nations Volunteers, and encourages the Under-Secretary-General for Political Affairs, as the focal point for United Nations electoral assistance activities, supported by the Electoral Assistance Division, to continue to develop new and more effective mechanisms for cooperation and to strengthen collaboration with those entities, including through an exchange of personnel when appropriate;

11. *Notes with appreciation* additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and need-specific responses to requests for electoral assistance, and expresses appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

12. *Encourages* the Secretary-General, through the Electoral Assistance Division, to respond to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular through enhancing the capacity of national electoral institutions;

13. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate, and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Electoral Assistance Division, to the increasing number of requests from Member States for advisory services;

14. *Also requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance and verification, and on his efforts to enhance the Organization's support of the democratization process in Member States.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/174. Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights² and other relevant instruments,

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,³

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the protection and promotion of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenant on Economic, Social and Cultural Rights,² the International Covenant on Civil and Political Rights² and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

³ A/CONF.157/24 (Part I), chap. III.

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Takes note* of the report of the Secretary-General,⁴ and further requests the Secretary-General to ask Member States to present practical proposals and ideas that should contribute to the strengthening of United Nations action in the field of human rights, through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this question to the General Assembly at its fifty-fifth session;

12. *Decides* to consider this matter at its fifty-fifth session, under the item entitled "Human rights questions".

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⁴ A/54/216.



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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/175. The right to development

The General Assembly,

Guided by the principles and purposes of the Charter of the United Nations, and expressing in particular the determination to promote social progress and better standards of life in larger freedom as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling its previous resolutions and those of the Commission on Human Rights relating to the right to development, including its resolution 53/155 of 9 December 1998, and taking note of Commission resolution 1999/79 of 28 April 1999,¹

Recalling also the Declaration on the Right to Development,² and reaffirming the importance of its full implementation,

Reaffirming that the right to development, as established in the Declaration on the Right to Development, is universal and inalienable, and re-emphasizing that its promotion, protection and realization are an integral part of the promotion and protection of all human rights,

¹ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

² Resolution 41/128, annex.

Noting that the human person is the central subject of development and that development policy should therefore make the human being the main participant in and beneficiary of development,

Stressing the importance of creating an economic, political, social, cultural and legal environment that will enable people to achieve social development at the national and international levels,

Emphasizing the fact that the realization of the right to development requires effective and efficient development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level,

Noting that sanctions often have a serious negative impact on the development capacity and activity of target countries, as well as third States, undermining their full realization of the right to development,

Recognizing that countries interact with the global economy from vastly different levels of development, and realizing that globalization affects all countries differently and makes them more susceptible to external developments, positive and negative, *inter alia*, in the field of human rights, in particular in the realization of the right to development,

Stressing the need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

Emphasizing that the Office of the United Nations High Commissioner for Human Rights has an important role to play in the promotion, protection and realization of the right to development, including through enhanced cooperation with the relevant bodies of the United Nations system for this purpose,

Affirming that developed countries have a major responsibility in the context of growing interdependence to create and sustain a global economic environment that is favourable to accelerated and sustainable development,

Emphasizing that measures should be taken to ensure that human rights are not exploited as a means of conditionality for loans, aid or trade, which then unduly results in the imposition of particular policies on recipient countries, thereby negatively affecting the full enjoyment of the right to development by the peoples of such countries,

Recognizing the importance of undertaking appropriate economic policies and creating an environment that is favourable and conducive to the enhancement of the realization of the right to development at the national and international levels,

Emphasizing the importance of strengthening good governance through the building of more effective and accountable institutions for promoting sustained growth and enabling all people to benefit equally from development,

Expressing its concern that the Declaration on the Right to Development is insufficiently disseminated, and noting that it should be taken into account, as appropriate, in bilateral and multilateral cooperation programmes, national development strategies and policies and activities of international organizations,

Having considered the report of the Secretary-General prepared pursuant to General Assembly resolution 53/155,³

1. *Takes note of the report of the Secretary-General;*³
2. *Reaffirms the importance of the right to development for every human person and all people in all countries, in particular the developing countries, as an integral part of their fundamental human rights, as well as the potential contribution that its realization could make to the full enjoyment of all human rights and fundamental freedoms;*
3. *Also reaffirms that democracy, development and respect for all human rights and fundamental freedoms, including the right to development, are interdependent and mutually reinforcing, and in this context affirms that:*
 - (a) *The existence of widespread poverty inhibits the full and effective enjoyment of all human rights and renders democracy and popular participation fragile;*
 - (b) *For peace and stability to endure, national and international action and cooperation are required to promote a better life for all in larger freedom, a critical element of which is the eradication of poverty;*
 - (c) *The full realization of the right to development must be addressed within a global context through a constructive, dialogue-based approach, with objectivity, respect for national sovereignty and territorial integrity, impartiality, non-selectivity and transparency as the guiding principles, taking into account the political, historical, social, religious and cultural characteristics of each country;*
 - (d) *Effective popular participation is an essential component of successful and sustainable development;*
 - (e) *The participation of developing countries in the international economic decision-making process needs to be broadened and strengthened through its democratization;*
4. *Expresses deep concern that the gap between the developed and developing countries remains unacceptably wide and that developing countries continue to face difficulties in participating in the globalization process and may risk being marginalized and effectively excluded from its benefits;*
5. *Notes with concern that the realization of the right to development of many developing countries has been negatively affected as a result of severe economic and financial crises in many regions of the world, and recognizes that the international trade and financial conditions that caused the crises persist;*
6. *Calls upon Member States to take, individually and collectively, all relevant measures and policies to prevent the marginalization of the weak or vulnerable economies of developing countries and of countries with economies in transition and to enable them to participate fully in globalization and liberalization with a view to their full integration into the world economy;*

³ A/54/319.

7. *Calls upon* States to refrain from taking any unilateral measures that are not in accordance with international law and the Charter of the United Nations and that create obstacles to trade relations among States and impede the full realization of all human rights, including the right to development;

8. *Urges* States to eliminate all obstacles to development at all levels, *inter alia*, by pursuing the promotion and protection of economic, social, cultural, civil and political rights and implementing comprehensive development programmes at the national level, integrating those rights into development activities and promoting effective international cooperation;

9. *Reaffirms* that international cooperation is a necessity deriving from the recognized mutual interest of all countries and, therefore, that such cooperation should be strengthened in order to support the efforts of developing countries to solve their social and economic problems and to fulfil their obligations to promote and protect all human rights;

10. *Calls upon* the international community to address the deepening technological, financial and productive gaps between the developed and some developing countries, and among some developing countries themselves, as well as the widening inequalities between the rich and the poor;

11. *Affirms* the need to apply a gender perspective in the implementation of the right to development, *inter alia*, by ensuring that women play an active role in the development process, and emphasizes that the empowerment of women and their full participation on a basis of equality in all spheres of society is fundamental for development;

12. *Reaffirms* that, in the full realization of the right to development, *inter alia*:

(a) The rights to food and clean water are fundamental human rights and their promotion constitutes a moral imperative both for national Governments and for the international community;

(b) The right to shelter is a basic human right, and in this regard the Assembly emphasizes the urgent need for national Governments and the international community to develop urgently, where necessary, and implement national and international strategies to provide this right;

(c) Health is essential for sustainable development, and the Assembly calls upon all Governments to take reasonable legislative and other measures within their available resources to achieve the progressive realization of the right to health-care services and urges the international community to support the efforts of Governments in this regard;

(d) Education is also an essential factor for the political, social, cultural and economic development of all people, and the Assembly recognizes that science and technology are important for ensuring growing levels of knowledge and must be put to use in the service of education;

13. *Recommends* proper consideration of the humanitarian effects of sanctions, in particular on women and children, which undermine and affect the right to development, with a view to minimizing those effects;

14. *Stresses* the need for the Secretary-General to continue to give high priority to the right to development, and urges all States to promote further the right to development, as a vital element in a balanced human rights programme;

15. *Welcomes* the high priority assigned by the United Nations High Commissioner for Human Rights to activities relating to the right to development, and urges the Office of the High Commissioner to continue implementing Commission on Human Rights resolution 1998/72 of 22 April 1998;⁴

16. *Invites* the United Nations High Commissioner for Human Rights to continue to follow and review progress made in the promotion and implementation of the right to development and to submit annual reports to the General Assembly and the Commission on Human Rights and to provide interim reports to the open-ended working group and the independent expert on the right to development containing details on:

(a) The activities of her Office relating to the implementation of the right to development, as contained in her mandate;

(b) The implementation of resolutions of the General Assembly and the Commission on Human Rights with regard to the right to development;

(c) The coordination among the relevant entities of the United Nations system, within their respective mandates, in the implementation of relevant resolutions of the General Assembly and the Commission on Human Rights in this regard;

17. *Notes* the efforts undertaken by the Office of the United Nations High Commissioner for Human Rights, within its mandate, with relevant entities of the United Nations system to promote the realization of the right to development, and stresses the need for the Office of the High Commissioner to keep Governments fully informed of and involve them in those initiatives, as appropriate;

18. *Calls upon* Member States and the Office of the High Commissioner to ensure that the open-ended working group on the right to development convenes its first session, as a matter of urgency, no later than 17 December 1999;

19. *Urges* Member States, the Secretary-General and the United Nations system, in particular the Office of the High Commissioner, fully to support the follow-up mechanism established for the implementation of the right to development;

20. *Reaffirms* the need for the Office of the High Commissioner to take appropriate measures aimed at promoting universal public awareness of the right to development through, *inter alia*, the dissemination of the Declaration on the Right to Development;

21. *Invites* the open-ended working group, *inter alia*, to consider the question of elaborating a convention on the right to development;

22. *Calls upon* the independent expert on the right to development to submit comprehensive reports to the General Assembly at its fifty-fifth session and the Commission on Human Rights at its fifty-sixth session on, *inter alia*, the effects of poverty, structural adjustment, globalization, financial and trade

⁴ See *Official Records of the Economic and Social Council, 1998, Supplement No. 3 (E/1998/23)*, chap. II, sect. A.

liberalization and deregulation on the prospects of enjoyment of the right to development in developing countries;

23. *Invites* the open-ended working group to take note of the deliberations on the right to development held during the fifty-fourth session of the General Assembly;

24. *Takes note* of the report of the independent expert on the right to development,⁵ and encourages closer coordination with studies undertaken by other relevant experts established under the auspices of the Commission on Human Rights;

25. *Recognizes* the vital role of civil society, including non-governmental organizations and the private sector, in the implementation of the right to development, and, in this regard, encourages Member States and the United Nations system to foster partnerships and strengthen cooperation at the national level with civil society, as appropriate;

26. *Requests* the Secretary-General to continue to inform the Commission on Human Rights and the General Assembly of the activities of the organizations, funds, programmes and specialized agencies of the United Nations system relating to the implementation of the Declaration on the Right to Development, as well as obstacles identified in the realization of the right to development;

27. *Also requests* the Secretary-General to submit to the General Assembly at its fifty-fifth session and to the Commission on Human Rights at its fifty-sixth session a comprehensive report on the right to development, including obstacles identified in the realization of that right;

28. *Decides* to consider this question at its fifty-fifth session under the sub-item entitled "Human rights questions, including alternative approaches to improving the effective enjoyment of human rights and fundamental freedoms".

*83rd plenary meeting
17 December 1999*

⁵ E/CN.4/1999/WG.18/2.



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15 February 2000

Fifty-fourth session
Agenda item 116 (b)

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.2)]

54/176. National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played an important role and should continue to play a more important role in assisting the development of national institutions for the promotion and protection of human rights,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,¹ which reaffirmed the important and constructive role played by national

¹ A/CONF.157/24 (Part I), chap. III.

human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Platform for Action adopted by the Fourth World Conference on Women,² in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Noting the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches in promoting universal respect for and observance of human rights and fundamental freedoms,

Noting with satisfaction the constructive participation of representatives of national institutions for the promotion and protection of human rights in, and their positive contribution to, the deliberations of the World Conference on Human Rights and the Commission on Human Rights, as well as international seminars and workshops on human rights organized or sponsored by the United Nations,

Welcoming the strengthening of regional cooperation among national human rights institutions, including through the third annual meeting of the Asia-Pacific Forum of National Human Rights Institutions, held at Jakarta in September 1998, the second Regional Conference of African National Institutions for the Promotion and Protection of Human Rights, held at Durban, South Africa, in June and July 1998, the first meeting of Mediterranean National Institutions for the Promotion and Protection of Human Rights, held at Marrakesh, Morocco, in April 1998, the fourth annual meeting of the Asia-Pacific Forum of National Human Rights Institutions, held at Manila in September 1999, and the second session of the Coordinating Committee of African National Institutions for the Promotion and Protection of Human Rights, held at Algiers in October 1999,

1. *Welcomes* the report of the Secretary-General;³
2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights contained in the annex to General Assembly resolution 48/134 of 20 December 1993;
3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,¹ it is the right of each State to choose the framework for the national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

² *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

³ A/54/336.

4. *Encourages* Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

5. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

6. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

7. *Reaffirms* the role of national institutions, where they exist, as appropriate agencies, *inter alia*, for the dissemination of human rights materials and other public information activities, including those of the United Nations, and in this context expresses its appreciation of the active role that national institutions have played in the celebrations marking the fiftieth anniversary of the Universal Declaration of Human Rights⁴ at the national and local levels;

8. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights;

9. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national human rights institutions, and in view of the expanded activities related to national institutions, encourages the High Commissioner to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national institutions, and invites Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

10. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994,⁵ in close cooperation with the Office of the High Commissioner, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

11. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee of National Institutions and the arrangements for the participation of national human rights institutions in the annual sessions of the Commission on Human Rights;

12. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee of National Institutions during the sessions of the Commission on Human Rights, in cooperation with the Office of the High Commissioner;

⁴ Resolution 217 A (III).

⁵ See *Official Records of the Economic and Social Council, 1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

13. *Also requests* the Secretary-General to continue to provide, including from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for regional meetings of national institutions;

14. *Recognizes* the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for the better promotion and protection of human rights;

15. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of national institutions for the promotion and protection of human rights;

16. *Encourages* all United Nations entities, funds and agencies to work in close cooperation with national institutions in the promotion and protection of human rights;

17. *Requests* the Secretary-General to report to the General Assembly at its fifty-sixth session on the implementation of the present resolution.

*83rd plenary meeting
17 December 1999*



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24 February 2000

Fifty-fourth session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.3)]

54/177. Human rights situation in the Islamic Republic of Iran

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights,² and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that the Islamic Republic of Iran is a party to the International Covenants on Human Rights,

Recalling its previous resolutions on this subject, including the most recent, resolution 53/158 of 9 December 1998, and taking note of Commission on Human Rights resolution 1999/13 of 23 April 1999,³

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

1. *Welcomes* the interim report of the Special Representative of the Commission on Human Rights on the situation of human rights in the Islamic Republic of Iran;⁴

2. *Also welcomes* the stated commitment of the Government of the Islamic Republic of Iran to promote the rule of law, including the elimination of arbitrary arrest and detention, and to reform the legal and penitentiary system and bring it into line with international human rights standards in this field;

3. *Further welcomes* the continued public debate in the Islamic Republic of Iran on issues of governance and human rights, encourages further efforts to ensure freedom of opinion, of the press and of cultural activities, and also welcomes the support given by the Government to the development of non-governmental organizations;

4. *Welcomes* the progress in democracy achieved by the holding of local elections in the Islamic Republic of Iran in February 1999, trusts that the forthcoming elections to the Majlis will be held with full respect for due democratic process, and calls upon the Government to continue its efforts towards strengthening democracy and the holding of free and fair elections;

5. *Also welcomes* the needs assessment mission undertaken by the Office of the United Nations High Commissioner for Human Rights to the Islamic Republic of Iran at the invitation of the Government, as well as the invitation by the Government to the Working Group on Enforced or Involuntary Disappearances to visit the country, and expresses the hope that the visit will take place soon;

6. *Further welcomes* the efforts undertaken by the Government of the Islamic Republic of Iran to investigate the cases of disappearances and killings of intellectuals and political activists, and calls upon the Government to continue its efforts to investigate the cases fully in due process of law and to bring the perpetrators to justice;

7. *Takes note with interest* of the gradual increase in the presence of women in public life in the Islamic Republic of Iran and the efforts made by the Government in this regard, expresses its concern at the continued discrimination in law and in practice against women, and calls upon the Government to take further measures to ensure the full and equal enjoyment by women of their human rights;

8. *Also takes note with interest* of the focus of the Islamic Human Rights Commission on the human rights situation in the Islamic Republic of Iran, and expresses the hope that the Commission will align itself with the 1993 principles relating to the status of national institutions for the promotion and protection of human rights;⁵

9. *Expresses its concern* at continuing threats by the 15 Khordad Foundation to the life of Salman Rushdie, including the increase in the bounty announced by the Foundation after the assurance given by the Government of the Islamic Republic of Iran in New York in September 1998, and welcomes the assurance given by the Government that it has no intention of taking any action whatsoever to threaten the life of

⁴ See A/54/365.

⁵ Resolution 48/134, annex.

Mr. Rushdie and those associated with his work or of encouraging or assisting anyone to do so, and that it dissociates itself from any reward offered in this regard and does not support it;

10. *Also expresses its concern* that, since 1996, no invitation has been extended by the Government of the Islamic Republic of Iran to the Special Representative to visit the country, and calls upon the Government to resume its full cooperation with the Special Representative and to extend an invitation to him to visit the country;

11. *Expresses its serious concern* at the continuing violations of human rights in the Islamic Republic of Iran, as reported by the Special Representative, in particular executions in the apparent absence of respect for internationally recognized safeguards, the use of national security laws as a basis for derogating from the rights of the individual, cases of torture and cruel, inhuman or degrading treatment or punishment as well as the failure to meet international standards in the administration of justice and the absence of due process of law, and calls upon the Government of the Islamic Republic of Iran to take all necessary steps to end the use of torture and the practice of amputation, stoning and other forms of cruel, inhuman and degrading punishment;

12. *Expresses its concern* at the restrictions on freedom of expression, opinion, thought and the press and at the interference with the work of writers and journalists and the closure of publications, as well as at the circumstances surrounding the arrests of individuals based on involvement in student demonstrations and at reports that some of them may be subject to death sentences, or other harsh sentences, and calls upon the Government of the Islamic Republic of Iran to take further measures to secure freedom of expression, opinion, thought and the press;

13. *Also expresses its concern* at the discrimination against religious minorities, in particular the Baha'is, and remains gravely concerned at the unabated pattern of persecution against the Baha'is, including death sentences, arrests and the closure of the Baha'i Institute of Higher Education, and calls upon the Government of the Islamic Republic of Iran to implement fully the conclusions and recommendations of the Special Rapporteur of the Commission on Human Rights on religious intolerance relating to the Baha'is and other religious minorities until they are completely emancipated;

14. *Calls upon* the authorities of the Islamic Republic of Iran to make further efforts to ensure for all the application of due process of law by the judiciary in all instances and, in this context to ensure a fair and transparent trial for the group of people detained early in 1999, which includes thirteen members of the Iranian Jewish community, and notes the stated commitments of the Government of the Islamic Republic of Iran in this regard;

15. *Also calls upon* the Government of the Islamic Republic of Iran to continue its efforts and to abide by its freely undertaken obligations under the International Covenants on Human Rights² and other international instruments on human rights, and to ensure that all individuals within its territory and subject to its jurisdiction, including persons belonging to religious minorities, enjoy the rights enshrined in those instruments;

16. *Further calls upon* the Government of the Islamic Republic of Iran to ensure that capital punishment will not be imposed for crimes other than the most serious, for apostasy or otherwise in disregard of the provisions of the International Covenant on Civil and Political Rights² and United Nations safeguards, and to provide the Special Representative with relevant statistics on this matter;

17. *Decides* to continue the examination of the situation of human rights in the Islamic Republic of Iran, including the situation of minority groups such as the Baha'is, at its fifty-fifth session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

*83rd plenary meeting
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Fifty-fourth session
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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/54/605/Add.3)]

54/178. Human rights situation in Iraq

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,¹ the International Covenants on Human Rights,² and other human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil the obligations they have undertaken under the various international instruments in this field,

Mindful that Iraq is a party to the International Covenants on Human Rights, to other international human rights instruments and to the Geneva Conventions of 12 August 1949 for the protection of victims of war,³

Recalling its previous resolutions and those of the Commission on Human Rights on the subject, and taking note of the most recent, Commission resolution 1999/14 of 23 April 1999,⁴

¹ Resolution 217 A (III).

² Resolution 2200 A (XXI), annex.

³ United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

⁴ See *Official Records of the Economic and Social Council, 1999, Supplement No. 3 (E/1999/23)*, chap. II, sect. A.

Recalling also Security Council resolution 686 (1991) of 2 March 1991, in which the Council called upon Iraq to release all Kuwaitis and nationals of other States who might still be held in detention, Council resolutions 687 (1991) of 3 April 1991, 688 (1991) of 5 April 1991, in which the Council demanded an end to repression of the Iraqi civilian population and insisted that Iraq cooperate with humanitarian organizations and that the human rights of all Iraqi citizens be respected, and Council resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999 and 1266 (1999) of 4 October 1999, by which the Council authorized States to permit imports of Iraqi oil in order to allow Iraq to purchase humanitarian supplies,

Taking note of the concluding observations of the Human Rights Committee,⁵ the Committee on the Elimination of Racial Discrimination,⁶ the Committee on Economic, Social and Cultural Rights⁷ and the Committee on the Rights of the Child⁸ on the recent reports submitted to them by Iraq, in which these treaty-monitoring bodies point to a wide range of human rights problems and hold the view that the Government of Iraq remains bound by its treaty obligations, while pointing to the adverse effect of sanctions on the daily life of the population, including children,

Taking note also of the reports of the Secretary-General concerning the implementation of Security Council resolutions 986 (1995),⁹ 1111 (1997),¹⁰ 1143 (1997),¹¹ 1175 (1998),¹² 1210 (1998),¹³ 1242 (1999)¹⁴

⁵ CCPR/C/79/Add.84.

⁶ See *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 18 (A/54/18)*, paras. 337-361.

⁷ E/C.12/1/Add.17.

⁸ CRC/C/15/Add.94.

⁹ S/1996/1015; see *Official Records of the Security Council, Fifty-first Year, Supplement for October, November and December 1996*.

¹⁰ S/1997/935; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*.

¹¹ S/1998/90, S/1998/194 and Corr.1 and S/1998/477; see *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*; and *ibid.*, *Supplement for April, May and June 1998*.

¹² S/1998/823 and S/1998/1100; see *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*; and *ibid.*, *Supplement for October, November and December 1998*.

¹³ S/1999/187 and S/1999/573 and Corr.2; see *Official Records of the Security Council, Fifty-fourth Year, Supplement for January, February and March 1999*; and *ibid.*, *Supplement for April, May and June 1999*.

¹⁴ S/1999/896 and Corr.1 and S/1999/1162 and Corr.1; see *Official Records of the Security Council, Fifty-fourth Year, Supplement for July, August and September 1999*; and *ibid.*, *Supplement for October, November and December 1999*.

and, in particular, his report of 19 August 1999 concerning the implementation of Council resolution 1242 (1999),¹⁵

Reaffirming that it is the responsibility of the Government of Iraq to ensure the well-being of its entire population and the full enjoyment of all human rights and fundamental freedoms, concerned about the dire humanitarian situation in Iraq, which particularly affects certain vulnerable groups, such as children, *inter alia*, as stated in the reports of several United Nations human rights treaty bodies, and appealing to all concerned to fulfil their mutual obligations in the management of the humanitarian programme established by the Security Council in its resolution 986 (1995),

1. *Welcomes* the interim report of the Special Rapporteur of the Commission on Human Rights on the situation of human rights in Iraq¹⁶ and the observations, conclusions and recommendations contained therein, and notes with dismay that there has been no improvement in the situation of human rights in the country;

2. *Strongly condemns:*

(a) The systematic, widespread and extremely grave violations of human rights and of international humanitarian law by the Government of Iraq, resulting in an all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror;

(b) The suppression of freedom of thought, expression, information, association, assembly and movement through fear of arrest, imprisonment, executions and other sanctions;

(c) The widespread use of the death penalty in disregard of the provisions of the International Covenant on Civil and Political Rights² and the United Nations safeguards;

(d) Summary and arbitrary executions, including political killings and the continued, so-called clean-out of prisons, as well as enforced or involuntary disappearances, routinely practised arbitrary arrests and detention, and consistent and routine failure to respect due process and the rule of law, for example, in the execution of delinquents for minor property offences and customs violations;

(e) Widespread, systematic torture and the enactment and implementation of decrees prescribing cruel and inhuman punishment as a penalty for offences;

3. *Calls upon* the Government of Iraq:

(a) To abide by its freely undertaken obligations under international human rights treaties and international humanitarian law and to respect and ensure the rights of all individuals, irrespective of their origin, ethnicity, gender or religion, within its territory and subject to its jurisdiction;

¹⁵ S/1999/896 and Corr.1; see *Official Records of the Security Council, Fifty-fourth Year, Supplement for July, August and September 1999*.

¹⁶ See A/54/466.

- (b) To bring the actions of its military and security forces into conformity with the standards of international law, in particular those of the International Covenant on Civil and Political Rights;
- (c) To cooperate with United Nations human rights mechanisms, in particular by receiving a return visit by the Special Rapporteur to Iraq and allowing the stationing of human rights monitors throughout Iraq pursuant to the relevant resolutions of the General Assembly and the Commission on Human Rights;
- (d) To establish independence of the judiciary and abrogate all laws granting impunity to specified forces or persons killing or injuring individuals for any purpose beyond the administration of justice under the rule of law as prescribed by international standards;
- (e) To abrogate all decrees that prescribe cruel and inhuman punishment or treatment, including mutilation, and to ensure that torture and cruel punishment and treatment no longer occur;
- (f) To abrogate all laws and procedures, including Revolution Command Council Decree No. 840 of 4 November 1986, that penalize free expression, and to ensure that the genuine will of the people shall be the basis of authority of the State;
- (g) To respect the rights of all ethnic and religious groups and to cease immediately its repressive practices aimed at the Iraqi Kurds, Assyrians and Turkmen, in particular their deportation from the regions of Kirkuk and Khanaqin, and at the population of the southern marsh areas, where drainage projects have provoked environmental destruction and a deterioration of the situation of the civilian population, and to ensure the personal integrity and freedom, including the full freedom of belief, of the Shi'a and their religious establishment;
- (h) To cooperate with the Tripartite Commission and its Technical Subcommittee to establish the whereabouts and resolve the fate of the remaining several hundred missing persons, including prisoners of war, Kuwaiti nationals and third-country nationals, victims of the illegal Iraqi occupation of Kuwait, to cooperate with the Working Group on Enforced or Involuntary Disappearances of the Commission on Human Rights for that purpose, and to pay compensation to the families of those who died or disappeared in the custody of the Iraqi authorities, through the mechanism established by the Security Council in its resolution 692 (1991) of 20 May 1991, and to release immediately all Kuwaitis and nationals of other States who may still be held in detention;
- (i) To cooperate fully with international aid agencies and non-governmental organizations in providing humanitarian assistance and monitoring in the northern and southern areas of the country;
- (j) To continue to cooperate in the implementation of Security Council resolutions 986 (1995), 1111 (1997), 1143 (1997), 1153 (1998), 1210 (1998), 1242 (1999) and 1266 (1999) so as to ensure fully the equitable distribution, without discrimination, to the Iraqi population, including members of the population in remote areas, of the humanitarian supplies purchased under the oil for food programme and to continue to facilitate the work of United Nations humanitarian personnel in Iraq by ensuring the free and unobstructed movement of observers throughout the country;
- (k) To cooperate in the identification of minefields existing throughout Iraq with a view to facilitating their marking and eventual clearing;

4. *Requests* the Secretary-General to provide the Special Rapporteur with all necessary assistance in carrying out his mandate, and decides to continue the examination of the situation of human rights in Iraq at its fifty-fifth session under the item entitled "Human rights questions", in the light of additional elements provided by the Commission on Human Rights.

*83rd plenary meeting
17 December 1999*